

Memorandum

Date : March 12, 2009

To : All California Department of Corrections and Rehabilitation Employees

Subject : **FURLOUGH PROGRAM AND OVERTIME PROVISIONS UPDATE**

The purpose of this memorandum is to notify you of the following changes and updates to the furlough program and overtime provisions:

SELF DIRECTED FURLOUGH:

All California Department of Corrections and Rehabilitation employees now fall under Category 3 of the furlough program. The last 'scheduled' furlough day was March 6, 2009. After March 6, all employees were converted to the self directed furlough program.

For the remaining 15 months, on the first day of the pay period, employees will accrue two furlough days per month, with the exception of Bargaining Unit (BU) 3 employees. BU 3 employees will accrue 13.56 furlough hours per month. Employees can choose which days they will take off, with their supervisor's or manager's approval. Employees will have up to 24 months following the end of the furlough program to use their furlough days.

Employees who work less than their time base (dock; appointed or separated other than the first day of a pay period), shall have their furlough hours applied on a prorated basis. To determine the prorated credit for a full time or part time employee, convert the employee's time worked in the pay period to hours and credit the employee with furlough hours based on the intermittent chart below:

<u>Scheduled Hours Worked In a Month</u>	<u>Furlough Hours for 2 Furlough Days</u>
11 to 30.9	2
31 to 50.9	4
51 to 70.9	6
71 to 90.9	8
91 to 110.9	10
111 to 130.9	12
131 to 150.9	14
151 or more	16

CORRECTION TO PERMANENT INTERMITTENT EMPLOYEES:

Previous information regarding permanent intermittent hours is superseded by this memo. Furlough hours should be credited prior to holiday hours so that the holiday hours are not negatively affected.

An intermittent employee's schedule needs to be determined in advance of the pay period. Intermittent employees will be furloughed based on the number of hours they work in a month, shown in the following chart.

Scheduled Hours Worked in a Month	<u>Intermittent Employees</u>	
	Holiday Credit Hours Per Day	Furlough Hours for 2 Furlough Days
11 to 30.9	1	2
31 to 50.9	2	4
51 to 70.9	3	6
71 to 90.9	4	8
91 to 110.9	5	10
111 to 130.9	6	12
131 to 150.9	7	14
151 or more	8	16

Below is an example of an intermittent employee who physically worked 68 hours in the month of February 2009, four hours per day. There are two furlough days and two holidays in the month. Total the employee's hours for the month as follows:

- 68 hours physically worked
- + 6 (3 hours for each Furlough Day) = 74 hours
- 74 hours + 8 (4 hours per holiday) = 82 hours to be paid for the February 2009 pay period
- 68 hours worked counts toward the employee's probation period/Family Medical Leave Act
- 74 hours counts toward the employee's 1,500 hours
- 82 hours counts toward State service/retirement/SISA/MSA/Range Change/Health/Dental/Vision

February 2009						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					30 4 Begin Pay Period	31
1	2 4	3 4	4 4	5 4	6 3 Furlough Day	7
8	9 4	10 4	11 4	12 4 Holiday Lincoln's Birthday	13 4	14
15	16 4 Holiday Washington's Birthday Observed	17 4	18 4	19 4	20 3 Furlough Day	21
22	23 4	24 4	25 4	26 4	27 4	28 End Pay Period

Intermittent employees that work less than 11 hours a pay period will not have Pay Differential 378 (Furlough Hours) applied to their salary.

SEIU MEMBERS:

Upon ratification by the members and the legislature, employees covered by the Service Employees International Union will change to a one day furlough program and will be reconciled as of February 2009.

CHANGE TO OVERTIME PROVISIONS:

On February 20, 2009, Senate Bill 8 was signed and prohibits all paid or unpaid leave from being considered as time worked by the employee for the purpose of computing cash compensation for overtime or compensation time off for overtime. DPA is implementing this change effective the March 2009 pay period so that departments have the opportunity to advise their employees of this change. In addition, DPA has authorized the effective date of March 8, 2009 for Division of Juvenile Justice 7k employees, and March 9, 2009 for Division of Adult Institutions 7K employees.

The following overtime provision applies to excluded employees and employees in Bargaining Units R01, R02, R03, R04, R06, R07, R09, R10, R11, R12, R13, R14, R15, R17, R18, R19, R20 and R21.

- For the purpose of computing the number of hours worked, time when an employee is excused from work because of holidays, sick leave, vacation, annual leave, compensating time off or any other leave, **shall not** be considered as time worked by the employee for the purpose of computing cash or compensating time off for overtime.

Should you have any questions or require additional information please email CDCRFurlough@cdcr.ca.gov.



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